

11 MIL-SPEC MONKEY, INC.,

12 No. C 14-02361 RS

13 v. Plaintiff,

**CASE MANAGEMENT
SCHEDULING ORDER**

14 ACTIVISION BLIZZARD, INC. and
ACTIVISION PUBLISHING INC.,

15 Defendants.

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17 Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a
18 Case Management Conference on August 21, 2014. After considering the Joint Case
19 Management Statement submitted by the parties and consulting with the attorneys of record for
20 the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

21 1. ALTERNATIVE DISPUTE RESOLUTION.

22 MEDIATION. The parties will seek to engage in private mediation.

23 2. DISCOVERY.

24 A. On or before February 13, 2015, the parties shall complete all non-expert written
discovery and shall file any motions regarding written discovery.

25 B. On or before April 10, 2015, the parties shall complete all fact witness depositions
and file any related discovery motions.

1 C. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party;
2 (b) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable
3 number of requests for production of documents or for inspection per party; and (d) a reasonable
4 number of requests for admission per party.

5 3. DISCOVERY DISPUTES.

6 Discovery disputes will be referred to a Magistrate Judge. After the parties have met and
7 conferred, the parties shall prepare a joint letter of not more than 8 pages explaining the dispute.
8 Up to 12 pages of attachments may be added. The joint letter must be electronically filed under
9 the Civil Events category of "Motions and Related Filings >Motions--General > Discovery
10 Letter Brief." The Magistrate Judge to whom the matter is assigned will advise the parties of
11 how that Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal
12 briefing, or set a telephone conference or a hearing. After a Magistrate Judge has been assigned,
13 all further discovery matters shall be filed pursuant to that Judge's procedures.

14 4. EXPERT WITNESSES.

15 On or before June 5, 2015, the parties shall complete all expert witness depositions and
16 file any related discovery motions. The disclosure and discovery of expert witnesses shall
17 proceed in accordance with the applicable Rules of Federal Civil Procedure.

18 5. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case
19 Management Conference shall be held on **November 6, 2014 at 11:00 a.m.** All parties shall
20 appear telephonically. The parties shall file a Joint Case Management Statement at least one
21 week prior to the Conference.

22 6. PRETRIAL MOTIONS. All dispositive pretrial motions must be filed and served
23 pursuant to Civil Local Rule 7. As a general matter, each party is limited to one motion for
24 summary judgment absent leave of Court. Defendant is not precluded from bringing an early
25 motion for partial summary judgment but should consider whether such a motion is amenable to
26 resolution without additional discovery pursuant to Federal Rule of Civil Procedure 56(d). All
27 pretrial motions shall be heard no later than May 7, 2015.

7. PRETRIAL CONFERENCE. The final pretrial conference will be held on **July 30, 2015 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend personally.

8. TRIAL DATE. A jury trial shall commence on **August 10, 2015 at 9:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

DATED: August 21, 2014

RICHARD SIEBORG
United States District Judge

RICHARD SEEBORG

United States District Judge